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PATENT
3743
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: §
HANNIGAN, Raymond R. §
et al §
Serial No.: 09/937,937 §
Filed: October 2, 2001 §
§

Examiner: LEWIS, Kim M.
Group Art Unit: 3743
Attorney Docket No.: VAC.482.US

For: VACUUM ASSISTED
CLOSURE SYSTEM WITH
HEATING AND COOLING
PROVISION

<p align="center">CERTIFICATE OF MAILING 37 C.F.R. § 1.8</p> <p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:</p> <p><u>18 February 2005</u> Date</p> <p><i>Susan Love</i> Susan Love</p>
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MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

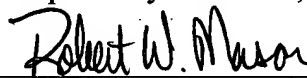
Dear Sir or Madam:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97
Second Supplemental Statement

In compliance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicants are submitting herewith a Form PTO/SB/08A and a copy of the references listed thereon. This Information Disclosure Statement is being filed more than three months after the filing date of the application. This Information Disclosure Statement is being filed in accordance with 37 C.F.R. §1.97(c)(2). The Commissioner is authorized to charge the required fees to deposit account no. 500326.

Applicants respectfully request full and proper consideration of the listed information during examination of the application, and that the listed information be printed on any patent that issues therefrom.

Respectfully submitted,



Robert W. Mason

Reg. No. 42,848

Attorney for the Applicant

Telephone: (210) 255-6271

Facsimile: (210) 255-6969

Enclosures: Form PTO/SB/08A (6 pages)

Copies of non-US Patent references listed on Form PTO/SB/08A

Return Receipt Postcard

Transmittal & Transmittal Fee Form

PIPE JC107
FEB 22 2005
PATENT & TRADEMARK

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number	09/937,937
Filing Date	October 2, 2001
First Named Inventor	HANNIGAN, et al
Examiner Name	LEWIS, Kim M.
Art Unit	3743
Attorney Docket No.	VAC.482.US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 500326 Deposit Account Name: Kinetic Concepts, Inc.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP =	x	=
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

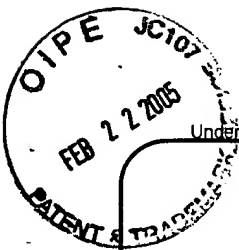
Non-English Specification, \$130 fee (no small entity discount)	<u>Fees Paid (\$)</u>
Other (e.g., late filing surcharge): <u>Late surcharge fee for filing Supplemental IDS</u>	<u>180.00</u>

SUBMITTED BY

Signature	<u>Robert W. Mason</u>	Registration No. (Attorney/Agent) 42,848	Telephone 210 255 6271
Name (Print/Type)	Robert W. Mason	Date	<u>2/18/05</u>

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/937,937
Filing Date	October 2, 2001
First Named Inventor	HANNIGAN, et al
Art Unit	3743
Examiner Name	LEWIS, Kim M.
Attorney Docket Number	VAC.482.US

ENCLOSURES (Check all that apply)

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input checked="" type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/
Incomplete Application
<input type="checkbox"/> Reply to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify
below):
Information Disclosure Statement Under 37
CFR §1.97 with copies of foreign patents and
non patent literature documents
Acknowledgment Postcard |
|--|--|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Kinetic Concepts, Inc.		
Signature	<i>Robert W Mason</i>		
Printed name	Robert W. Mason		
Date	2/18/05	Reg. No.	42,848

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

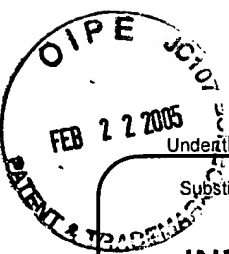
Signature	<i>Robert W Mason</i>		
Typed or printed name	Robert W. Mason	Date	2/18/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	4	of	6
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Complete if Known

Application Number	09/937,937
Filing Date	October 2, 2001
First Named Inventor	HANNIGAN, et al
Art Unit	3743
Examiner Name	LEWIS, Kim M.
Attorney Docket Number	VAC.482.US

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

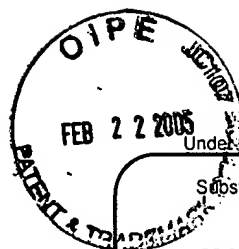
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
		WO 93/09727	05-27-1993	Wake Forest Un.		
		GB-2 197 789 A	06-02-1988	Smith Industrie		
		EP-0358 302	03-14-1990	Smith Industrie		
		DE 26 40 413 A1	03 09 1978	Wolf, Richard		
		EP 1 018 967B1	08-18-2004	Heaton, Keith		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 5

of 6

Complete if Known

Application Number	09/937,937
Filing Date	October 2, 2001
First Named Inventor	HANNIGAN, et al
Art Unit	3743
Examiner Name	LEWIS, Kim M.
Attorney Docket Number	VAC.482.US

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,437,622	08-01-1995	Carion, Jean-Pierre	
		US- 6,345,623	02-12-2002	Heaton, K., et al	
		US- 6,553,998	04-29-2003	Heaton, K., et al	
		US- 6,814,079	11-09-2004	Heaton, K., et al	
		US- 5,437,651	08-01-1995	Todd, R., et al	
		US- 5,549,584	08-27-1996	Gross, James R.	
		US- 5,134,994	08-04-1992	Say, Sam L.	
		US- 4,710,165	12-01-1987	McNeil, C.B., et al	
		US- 3,520,300	07-14-1970	Flower, Guiles	
		US- 4,758,220	07-19-1988	Sundblom, L., et al	
		US- 5,279,550	01-18-1994	Habib, Magdi, et al	
		US- 5,092,858	03-03-1992	Benson C.D., et al	
		US- 5,086,170	02-04-1992	Luheshi A., et al	
		US- 5,278,100	01-11-1994	Doan, T., et al	
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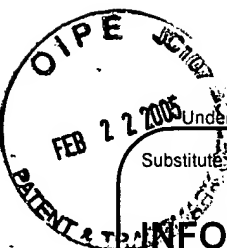
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner
SignatureDate
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	09/937,937		
		Filing Date	October 2, 2001		
		First Named Inventor	HANNIGAN, et al		
		Art Unit	3743		
		Examiner Name	LEWIS, Kim M.		
Sheet	6	of	6	Attorney Docket Number	VAC.482.US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		International Search Report for PCT international application PCT/GB95/01983; November 23, 1995	
		Patent Abstract of Japan; JP4129536; Terumo Corporation; April 30, 1992	
		PCT International Search Report; PCT international application PCT/GB98/02713; June 8, 1999	
		PCT Written Opinion; PCT international application PCT/GB98/02713; June 8, 1999	
		PCT International Examination and Search Report, PCT international application PCT/GB96/02802; Jan. 15 1998 and April 29, 1997	
		PCT Written Opinion, PCT international application PCT/GB96/02802; September 3, 1997	

Examiner Signature		Date Considered	
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